

Retro Advisory Committee

Meeting of June 22, 1995

Minutes

In Attendance:

Joe Hawkins, *Bekins NW*
Jim Nunn, *Washington Employers*
John Sweitzer, *Red Lion Hotels*
Kathy Kimbel, *L&I Retro Program*

Tom Kwieciak, *Bldg Industry Assoc of WA*
Mike Sotelo, *W G Clark*
John Gentry, *Decor Carpets*

Excused:
Gene Vosberg, Scott McKinnie
Donna Ganders

Guests:

Bob Spencer
Jay Seeley
Terry Peterson
Bill White
Arlene Smith
Bob Lanouette

JoAnne Collier
Rita Norton
Jim Groves
Kristina McEachron
Sandy Dziedzic

Dedi Hitchens
Patty Myntti
Tim Gottberg
Diane Doherty
Jan Gee
Michael Frasier

Introductions were made and the minutes of the April 11, 1995 meeting were approved as distributed.

Diane Doherty (*L&I loss control consultant*) began the meeting with a discussion of the loss history reports. A copy of the report was distributed and some of the recent changes made to the report were described. She also solicited feedback on whether the information presently available on the reports meet the needs of the members.

Among the issues raised were easy access to the reports, and whether reports could be produced for individual locations (within a company) covering a specified time period. Diane responded to these and other questions, and took note of the feedback provided by the committee members. L&I's data analysis section can prepare the loss history data in Lotus™ format when requested. She stated that anyone with questions or comments regarding loss runs can call her at **360 902-5586**.

Kathy Kimbel gave a summary on the current status of the external access pilot project, and plans for the upcoming biennium. **Arlene Smith** described the infrastructure related to the dialup access and discussed the line charges, etc. **Bob Lanouette** described some of the possible options and avenues which will be explored in the feasibility study for the next phase of implementation.

Bill White spoke on changes in third party recovery. If a third party settlement is pending when a retro adjustment or experience rating calculation is made, only 50 percent of the claim cost will be used. Subsequently, if a settlement and recovery have been reached when an adjustment occurs, the net cost of the claim will be used for the calculation. In the past, the amount recovered was not credited against the claim costs until the settlement actually took place; many times this was well beyond the final adjustment date or experience rating period. This new method will not affect any claims until the 1997 rate setting process. The agency is currently studying whether or not the new policy should apply "retroactively" to retro claims.

Bill also discussed the issues involved with the expanding temp/employee leasing industry, and explained that the agency is looking closely at all of the issues relating to worker's compensation, as well as exactly who is considered the employer of record for temp (or leased) employees.

Sandy Dziedzic gave a brief presentation on the proposed L&I draft policy **9.20 "Responding to Employer Requests for Medical Information"** (see attached). She solicited feedback from the committee, and took note of the many concerns and comments expressed by those present. Further written comments can be directed to Kathy

Kimbel (Retro Program, PO Box 44180, Olympia WA 98504-4180, FAX 360 902-4258); she will see that they are forwarded to the policy committee.

Special guest **Jan Gee** (*Association of Washington Business*) spoke on the status of retro reform, and explained that a committee is being formed to discuss the proposals that were contained in the retro reform bill that died in this year's legislature. The group will consist of four representatives of labor and four from business, and will operate as a subcommittee of the Workers' Compensation Advisory Committee. The bill had contained language that would have allowed retro employers or groups to: schedule IME's; schedule voc rehab services; and, close some types of claims. Tom Kwieciak and Jan Gee are two of the business representatives on the retro reform subcommittee.

- **Retro Participants Seminar:** Committee members discussed the planning needed to present a retro participants seminar this year. **Mike Sotelo, Joe Hawkins** and **John Gentry** volunteered to coordinate these efforts, and will be contacting Lucille Cooper (L&I) about scheduling the seminar in conjunction with the Governor's Industrial Safety & Health Conference in Seattle.

Because of a conflict in Kathy Kimbel's schedule, the next meeting of the advisory committee will take place on the 15th of August, rather than the 8th, at the AGC Building in Tacoma.

Meeting was adjourned at 11:50 a.m.

NEXT MEETING: **Tuesday, August 15, 1995, 9:00 a.m.-12 noon;**
 Associated General Contractor's Building
 3830 S Pine Street, Tacoma WA